

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-SEVENTH LEGISLATIVE DAY
MONDAY, MARCH 7, 2016

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Davis, Lakey, Lodge, and McKenzie, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Alaire Chambers, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 4, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Davis was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 7, 2016

The JUDICIARY AND RULES Committee reports that [S 1384](#), [S 1385](#), and [S 1386](#) have been correctly printed.

LODGE, Chairman

[S 1384](#) and [S 1385](#) were referred to the Commerce and Human Resources Committee.

[S 1386](#) was referred to the State Affairs Committee.

March 7, 2016

The JUDICIARY AND RULES Committee reports that [S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1229](#), [S 1259](#), [S 1270](#), [S 1271](#), [S 1219](#), and [S 1249](#) and ordered them transmitted to the House for the signature of the Speaker.

March 4, 2016

The FINANCE Committee reports out [H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), [H 552](#), [S 1379](#), [S 1380](#), and [S 1381](#) with the recommendation that they do pass.

KEOUGH, Chairman

[H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), [H 552](#), [S 1379](#), [S 1380](#), and [S 1381](#) were filed for second reading.

Senator Lakey was recorded present at this order of business.

March 4, 2016

The JUDICIARY AND RULES Committee reports out [H 495](#), [HCR 39](#), [HCR 40](#), and [S 1343](#) with the recommendation that they do pass.

LODGE, Chairman

[H 495](#) and [S 1343](#) were filed for second reading.

[HCR 39](#) and [HCR 40](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 4, 2016

Dear Mr. President:

I transmit herewith [HCR 41](#), which has passed the House.

TAYLOR, Acting Chief Clerk

[HCR 41](#) was filed for first reading.

March 3, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 461](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President Pro Tempore signed Enrolled [H 461](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator McKenzie was recorded present at this order of business.

The President Pro Tempore announced that [HCR 32](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Johnson, seconded by Senator Schmidt, [HCR 32](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

Senator Lodge was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, [HCR 29](#) retained its place on the calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[HCR 41](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 481](#) and [H 500](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 426](#), [H 427](#), [H 436](#), and [H 464](#), by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1370](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Nuxoll, Vick. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1370](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1371](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1371](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1372](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1372](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1342](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 31.

NAYS—Burgoyne, Jordan, Ward-Engelking. Total - 3.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1342](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1293](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Schmidt. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1293](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1356](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie,

Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder.
Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1356](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1338](#) retained its place on the Third Reading Calendar.

[S 1361](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder.
Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1361](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1362](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Ward-Engelking, Winder. Total - 32.

NAYS—Mortimer, Vick. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1362](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1354](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1341](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder.
Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1341](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Bayer, Brackett, and Davis, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 150 BY JUDICIARY AND RULES COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND PROVIDING FOR THE AMENDMENT OF JOINT RULE 18 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO TO REVISE PROVISIONS RELATING TO STATEMENTS OF PURPOSE AND FISCAL NOTES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Senate and the House of Representatives deem it necessary and desirable to amend Joint Rule 18 of the Joint Rules of the Senate and the House of Representatives.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Joint Rule 18 of the Senate and the House of Representatives shall be amended to read as follows:

JOINT RULE 18

~~Statement of Purpose and Fiscal Notes.—No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact person for the statement of purpose and fiscal note shall be identified on the document. A statement of purpose or fiscal note is not a statement of legislative intent nor intended for any use outside of the legislative process. The statement of~~

~~purpose and fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. No bill making an appropriation, increasing or decreasing existing appropriations, or requiring a future appropriation, or increasing or decreasing revenues of the state or any unit of local government, or requiring a significant expenditure of funds by the state or a unit of local government, shall be introduced unless it shall have attached thereto a fiscal note. This note shall contain an estimate of the amount of such appropriation, expenditure, or change under the bill. The fiscal note shall identify a full fiscal year's impact of the legislation. Statements of purpose and fiscal notes may be combined in the same statement. All statements of purpose and fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned. A member may challenge the sufficiency of a statement of purpose or fiscal note at any time prior to passage, except upon introduction. Nothing in this rule shall prohibit a statement of purpose or fiscal note from being revised.~~

Statement of Purpose and Fiscal Notes – General Provisions.
~~– No bill shall be introduced in either house unless it shall have attached thereto a concise statement of purpose and fiscal note. The contact person for the statement of purpose and fiscal note shall be identified on the document. Statements of purpose and fiscal notes may be combined in the same statement.~~

Statement of Purpose. – (a) ~~The statement of purpose applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. All statements of purpose shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any review is subject to Joint Rule 18(e).~~

Fiscal Notes. – (b) ~~The fiscal note applies only to a bill as introduced, and does not necessarily reflect any amendment to the bill that may be adopted. The fiscal note shall reasonably contain the proponent's full fiscal year projected increase or decrease in existing or future appropriations, and/or the increase or decrease in revenues by the state or unit(s) of local government. The bill's proponent bears the responsibility to provide a reasonably accurate fiscal note. If the fiscal note states there is no projected fiscal impact, then the fiscal note must contain a statement of the reasons that no fiscal impact is projected. All fiscal notes shall be reviewed for compliance with this rule by the committee to which the bill is assigned, excepting that any compliance review is subject to Joint Rule 18(e). A member of the committee may challenge the sufficiency of a fiscal note at any time prior to the committee's final action on the bill.~~

Debate. – (c) ~~Any member of either house may debate the sufficiency of a statement of purpose or fiscal note at the time of consideration of the bill.~~

May be Revised. – (d) ~~Either house may revise the statement of purpose or fiscal note at any time before that house's final action on the bill; however, the revision to the statement of purpose or fiscal note is ministerial only and shall not be done by action of the house.~~

Not a Statement of Legislative Intent. – (e) ~~Statements of purpose and fiscal notes are mere attachments to the bill and~~

~~are not voted on. The statement of purpose and fiscal note are not expressions or statements of legislative intent, and are not intended for any use outside of the legislative process, including judicial review.~~

Notice to Others. – (f) Each statement of purpose and fiscal note shall contain this notice: "This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18)."

SCR 150 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 7, 2016

The STATE AFFAIRS Committee reports out HCR 28, as amended, and S 1350 with the recommendation that they do pass.

MCKENZIE, Chairman

HCR 28, as amended, was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

S 1350 was filed for second reading.

March 7, 2016

The RESOURCES AND ENVIRONMENT Committee reports out H 350, H 378, and H 509 with the recommendation that they do pass.

BAIR, Chairman

H 350, H 378, and H 509 were filed for second reading.

March 7, 2016

The HEALTH AND WELFARE Committee reports out HCR 47 with the recommendation that it do pass.

HEIDER, Chairman

HCR 47 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 7, 2016

The JUDICIARY AND RULES Committee reports out H 528, S 1373, and S 1383 with the recommendation that they do pass.

LODGE, Chairman

H 528, S 1373, and S 1383 were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1387

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO PHARMACY ACT; AMENDING SECTION 54-1705, IDAHO CODE, TO ADD A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1719, IDAHO CODE, TO CLARIFY THE PHARMACY BOARD'S AUTHORITY OVER DURABLE MEDICAL SUPPLIES; AMENDING SECTION 54-1729, IDAHO CODE, TO CLARIFY THAT THE PHARMACY BOARD MAY ISSUE ENHANCED CERTIFICATES TO ANY OUTLET AND TO ESTABLISH ADDITIONAL REGISTRATION REQUIREMENTS FOR DURABLE MEDICAL EQUIPMENT SUPPLIERS OF CERTAIN TYPES OF EQUIPMENT; AMENDING SECTION 37-3201, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1761, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 54-4702, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1388

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TAX DEEDS; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 31-808, IDAHO CODE, TO PROVIDE NONAPPLICATION TO EASEMENTS, HIGHWAYS, AND RIGHTS-OF-WAY OWNED BY THE COUNTY, UNLESS EXPRESSLY CONVEYED AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 43-714A, IDAHO CODE, TO FURTHER DEFINE THE TERM "PARTY IN INTEREST"; AMENDING SECTION 43-720, IDAHO CODE, TO REVISE WHAT A TAX DEED CONVEYS; AMENDING SECTION 50-1823, IDAHO CODE, TO REVISE WHAT A TAX DEED CONVEYS; AMENDING SECTION 63-201, IDAHO CODE, TO FURTHER DEFINE THE TERM "PARTY IN INTEREST" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-1009, IDAHO CODE, TO REVISE WHAT A TAX DEED CONVEYS; AND DECLARING AN EMERGENCY AND PROVIDING APPLICATION.

S 1389

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONCEALED WEAPONS AND TO PROVIDE CORRECT CODE REFERENCES; AND AMENDING SECTION 18-3302C, IDAHO CODE, TO REVISE PROVISIONS REGARDING PROHIBITED CONDUCT.

S 1390

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE POLICE FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

S 1391

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAID FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; PROVIDING FOR TRANSFER OF APPROPRIATIONS BETWEEN CERTAIN PROGRAMS; REQUIRING BIENNIAL REPORTS ON MEDICAID MANAGED CARE IMPLEMENTATION; AND REQUIRING A REPORT ON FLEXIBLE RECEIPT AUTHORITY.

S 1392

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE IDAHO COMMISSION FOR LIBRARIES FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1393

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE PROGRAM AND DIRECTING A TRANSFER FOR FISCAL YEAR 2017.

S 1394

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1387](#), [S 1388](#), [S 1389](#), [S 1390](#), [S 1391](#), [S 1392](#), [S 1393](#), and [S 1394](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senators Bayer and Brackett were recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1328](#), [S 1332](#), and [S 1347](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1328**AMENDMENT TO SECTION 1**

On page 2 of the printed bill, in line 14, delete "or items".

On page 5, in line 28, following "the standard" insert: "of care"; in line 30, delete "at the same time" and insert: "simultaneously"; and in line 34, delete "and" and insert: "or".

SENATE AMENDMENT TO S 1332**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 12, delete "governmental"; and following line 35, insert:

"(4) No later than February 1 of each year, the TCLC and the administrator of the division of professional-technical education shall provide a report to the joint finance-appropriations committee, the legislative services office, budget and policy analysis, the division of financial management within the governor's office and to the education committees of the senate and the house of representatives, details regarding the proposals submitted, the proposals approved, the expenditures made from the industry partner fund and any other information requested by the legislature."

CORRECTION TO TITLE

On page 1, in line 4, delete "AND TO" and insert: ","; following "AUTHORITY" insert: "AND TO PROVIDE REPORTING REQUIREMENTS".

SENATE AMENDMENT TO S 1347**AMENDMENT TO SECTION 1**

On page 2 of the printed bill, delete lines 11 through 17, and insert: "erty."; in line 24, following "accepted." delete "The" and insert: "Within sixty (60) days of the date a claim on the proceeds is due, tThe"; also in line 24, delete "then" and insert: "then"; in line 25, following "law" delete ", within"; in line 26, delete "sixty (60) days" and insert: "within sixty (60) days or shall transfer the funds to the state treasurer as set forth in paragraph (d) of this subsection"; in line 30, following "record" insert: "or transferred to the state treasurer"; and following line 30, insert:

"(d) With the consent of the state treasurer, the board of county commissioners may transfer funds to be paid to parties in interest or the owner(s) of records pursuant to paragraph (c) of this subsection to the state treasurer. Upon transfer, the board of county commissioners shall immediately notify by first-class mail all parties that submitted a claim on the proceeds and the owner(s) of record of the transfer. The board of county commissioners shall provide such information to the state treasurer concerning the claims and the proceeds as the state treasurer shall reasonably request. The state treasurer shall keep and distribute the proceeds in accordance with chapter 5, title 14, Idaho Code."

CORRECTION TO TITLE

On page 1, in line 2, following ", TO" insert: "ALLOW"; also in line 2, following "TRANSFER" insert: "OF"; and in line 4, following "TREASURER" insert: "AND TO PROVIDE DUTIES OF THE BOARD OF COUNTY COMMISSIONERS".

The Committee also has [S 1357](#), [S 1303](#), and [S 1315](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1328](#), as amended, [S 1332](#), as amended, and [S 1347](#), as amended, were referred to the Judiciary and Rules Committee

for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Mortimer, granted by unanimous consent, [H 452](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1338](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Thayn, Vick, Winder. Total - 28.

NAYS—Burgoyne, Jordan, Lacey, Schmidt, Stennett, Ward-Engelking. Total - 6.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1338](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1300](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1300](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1256](#), as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lee, Lodge, Mortimer, Patrick, Schmidt, Souza, Stennett, Ward-Engelking. Total - 23.

NAYS—Bair, Lakey, Martin, McKenzie, Nonini, Nuxoll, Rice, Siddoway, Thayn, Vick, Winder. Total - 11.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1256](#), as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 362](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 362](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 379](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 379](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 458](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 458](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 447](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Anthon and Jordan disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 447](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House for possible concurrence.

[H 385](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 385](#) passed, title was approved, and the bill ordered returned to the House.

[H 335](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 335](#) passed, title was approved, and the bill ordered returned to the House.

[H 336](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Souza, Thayn. Total - 2.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 336](#) passed, title was approved, and the bill ordered returned to the House.

[H 337](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 337](#) passed, title was approved, and the bill ordered returned to the House.

[H 338](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 338](#) passed, title was approved, and the bill ordered returned to the House.

[H 339](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 339](#) passed, title was approved, and the bill ordered returned to the House.

[H 340](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 340](#) passed, title was approved, and the bill ordered returned to the House.

[H 391](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 391](#) passed, title was approved, and the bill ordered returned to the House.

[H 392](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 392](#) passed, title was approved, and the bill ordered returned to the House.

[H 428](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 428](#) passed, title was approved, and the bill ordered returned to the House.

[H 346](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 346](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [S 1302](#) was returned to the third reading calendar.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 7, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1328](#), [S 1332](#), and [S 1347](#) have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 7, 2016

The JUDICIARY AND RULES Committee reports that [S 1328](#), as amended, [S 1332](#), as amended, and [S 1347](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1328](#), as amended, [S 1332](#), as amended, and [S 1347](#), as amended, were filed for first reading.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[S 1328](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1332](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1347](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 10:30 a.m., Tuesday, March 8, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary